

REMARKS/ARGUMENTS

Applicants acknowledge receipt of the Office Action dated December 8, 2008. In the aforementioned Office Action, the Examiner restricted the claims of the instant application to either: Group 1, namely claims 31, 32, 35 and 36, drawn to a method of administering autophagocytosis inducing compound; or Group 2, namely claims 39-54, drawn to methods of identifying autophagocytosis modulating compounds. The Examiner further notes that the application contains claims directed to more than one species of the generic invention. The Examiner has requested that the Applicant elect a single species from: (a) Type of autophagocytosis inducing compound; and (B) type of disease/disorder listed in claim 35.

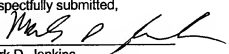
With the present Reply and Amendment, Applicants elect Group I which includes claims 31, 32, 35 and 36. Claims 39-54 are withdrawn. Claims 33-34 and 37-38 are cancelled. With respect to an election of species, the Applicant elects species/inducing compound GABARAP and the disease of hypercholesterolemia. Applicants respectfully submit that the generic claims should be found to be allowable. Upon review of the application, the Examiner will appreciate that the present inventors have made a discovery leading to an invention which greatly advances the science, namely that serum levels of triglycerides and cholesterol levels are autophagocytosis activity.

CONCLUSION

Applicants respectfully request favorable consideration of the claims in the form a Notice of Allowance. Applicants request that if the Examiner has any issue outstanding for resolution, the Examiner telephone the undersigned for expeditious handling.

Date: June 8, 2009

Respectfully submitted,



Mark D. Jenkins
Registration No. 59,566

WOMBLE CARLYLE SANDRIDGE & RICE
P. O. Box 7037
Atlanta, Georgia 30357-0037
(919) 484-2317 (direct dial)
(919) 484-2096 (facsimile)